

ASPERGER ASSOCIATES LLC

ATTORNEYS AT LAW

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June 28, 2005

The Honorable Catherine C. Blake
United States District Judge
U.S. District Court for the District of Maryland
U.S. Courthouse
101 West Lombard Street
Baltimore, MD 21201

Re: American Sugar Refining Co., Inc. v. M/V ALIANA
PRINCESS; Civil Action No.: CCB-030CV-329
Our File No.: 6038.2104

Dear Judge Blake:

This letter is a joint request for amendment of the deadlines under the Scheduling Order. This case concerns damage to one of Plaintiff's cranes and additional damages related to the loss of use of that crane for a period of time.

Counsel acknowledge that extensions have been jointly requested on prior occasions, however, the parties have been engaged in serious settlement negotiations which have taken considerable time, principally due to the complexity of the business interruption portion of the claim. Although the parties were initially hopeful that they could resolve this matter, unfortunately a settlement has not yet been reached. The parties are still hopeful that the case might be resolved without the need to complete formal discovery and trial. At this time, the parties believe that scheduling deadlines may prove to motivate further discussions and therefore respectfully request that a mediation be set before a Federal Magistrate at the Court's earliest convenience. The parties request the following scheduling order be approved:

August 15, 2005 Plaintiff's 26(a)(2) expert disclosure due

September 15, 2005 Defendant's 26(a)(2) expert disclosures due

October 5, 2005 Plaintiff's Rebuttal expert disclosures due

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October 8, 2005. 26(a)(2) supplementation of disclosures/responses due

October 15, 2005 Discovery deadline and submission of status report due

October 22, 2005 Request for admissions due

November 22 2005 Dispositive motions due

The parties thank the Court for its attention and consideration.

Respectfully Submitted,

Jeffrey J. Asperger

JJA:dmw

cc: Rob Hopkins

Bill Tarr